

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Gene M. Gomes, Acting Presiding Justice; Honorable Betty L. Dawson, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

**F050381      Dedekian v. Central Unified School District**  
**F050977**

Cause called and argued by Robert J. Rosati, Esq., counsel for appellant and by K. Poncho Baker, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, October 12, 2007 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Betty L. Dawson, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

**F050399      James-Higgins v. Clovis Unified School District**

Cause called and argued by James F. Tritt, Esq., counsel for appellant and by Ryan Lybke, Esq., counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Vartabedian, Acting P.J. to act as Presiding Justice in his absence and leaves the bench with Dawson, J.; they are replaced by Vartabedian, Acting P.J. and Gomes, J.

**F049450      Oroshi Public Utility District v. Galbiso**

Cause called and argued by Frederick C. Roesti, Esq., counsel for appellant and by Michael P. Smith, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, October 15, 2007 at 1:45 P.M.

**F052439      People v. Rojas, Jr.**

The above-entitled case is submitted for decision.

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- F052439**      **People v. Rojas, Jr.**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050970**      **People v. Tucker**  
The judgment is affirmed. Vartabedian, Acting P.J.  
We concur: Cornell, J.; Dawson, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050964**      **People v. Barriga**  
The matter is remanded to the trial court which is directed to (a) stay the punishment imposed on count II pursuant to section 654; (b) stay the section 12022.53 enhancement attached to count II pursuant to section 654; and (c) calculate the appropriate number of presentence conduct credits. In all other respects the judgment is affirmed. The trial court is further directed to prepare an amended abstract and transmit certified copies of the amended abstract to all appropriate parties and entities. Harris, Acting P.J.  
We concur: Cornell, J.; Hill, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051469**      **People v. Villa**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F051469      People v. Villa**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F053050      People v. Murphy**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F051941      People v. Allison**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F051941      People v. Allison**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F050490      Sanchez et al. v. Courtesy Oldsmobile Cadillac, Inc.**

The judgment is reversed and the matter is remanded to the trial court with instructions that it issue a proper statement of decision in compliance with Code of Civil Procedure section 6732. Plaintiffs are entitled to costs on appeal. Kane, J.

We concur: Harris, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F051381      People v. Guerra**

Appellant's petition for rehearing filed herein is denied.

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**F051098      Koscki v. Herbert et al.,**  
The judgment is reversed with modifications. Cornell, J.  
We concur: Harris, Acting P.J.; Hill, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F053234      In re Julio F., a Minor**  
No brief or request for extension of time having been filed, IT IS  
HEREBY ORDERED that the appeal in the above-entitled action is  
dismissed.